

BOARD OF COUNTY COMMISSIONERS**Inter-Office Memorandum**

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To Ron Kirkland	From Cliff Thaeil		
Co/Dept.	Co.		
Phone #	Phone # 488-4710		
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To: Commissioner Cliff Thaeil

From: Herbert W.A. Thiele, Esq.
County Attorney

Date: December 20, 1996

Subject: Further Input on Interpretation of the Community Alcohol, Drug Abuse,
and Mental Health Services Act (Chapter 394, Part IV, Florida Statutes)

This memorandum is in response to your note to me of December 12, 1996, with regard to additional information on the interpretation and requirements of Leon County under Florida Statutes, Chapter 394, Part IV.

As you know, over the past two years, Leon County Attorney's Office staff and OMB staff have had a number of meetings with Ron Kirkland and other representatives of Apalachee Center for Human Services, Inc., with regard to any obligations of the County for providing the "local match funds". While we do not dispute that Leon County through the Board of County Commissioners is the governing bodies defined in Section 394.67, it is our position that the 25 percent local match requirements set forth in Section 394.76(3)(b) and (9)(a), only require Leon County to make up the difference between zero dollars and the full 25 percent match. That is, funds which are received from governing bodies of other local government as defined in Section 394.67(8), Florida Statutes, or other local sources can provide this local match as well. Thereafter, when Apalachee Mental Health provides OMB with documentation as to what funds they have received from other local matches, we then determine what additional funding may be needed from Leon County to reach the full 25 percent local ratio. If the full 25 percent has been received from other local governing bodies or other local matches, then no funding would be required by Leon County. This information has been provided to Mr. Kirkland throughout.

It is my information from OMB that indeed the local match was achieved by Apalachee Mental Health last fiscal year from other sources and thus no funds were necessary nor budgeted by Leon County. We believe that this comports with the requirements of the statutes. Apalachee Mental Health could, of course, request "additional" funding through the County's human services program.

If you would like additional information, please contact the County Attorney's Office.

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